

REMARKS

**Status of Claims**

Claims 1-12 are pending.

**Claim Rejections under 35 U.S.C. §112**

Claims 4 and 10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regard to claims 4 and 10, the term “one of areas” has been changed to “one of two areas” to indicate that the first window is interposed between two areas and only one of the two areas is used for formation of the second window. For example, Fig. 4A and Fig. 4B represent the situation where the first window is interposed between the area of time t0 to t2 and the area of time t3 to t5, and the second window is only formed in the area of time t3 to t5.

In view of the above amendments, it is submitted the basis for the 35 U.S.C. §112 rejections have been overcome and that all of applicant’s claims fully comply with 35 U.S.C. §112.

**Claim 6**

Dependent claim 6 has been changed from “calculate delay profile with the specified second windows” to “calculates delay profile data in the specified second windows” for clarification and consistency with calculations that occur in claims 1 and 2.

**Claim Rejections under 35 U.S.C. §102**

Claims 1, 2, 7, and 8 stand rejected under 35 U.S.C. §102(e) as being anticipated by Oda (US Patent No. 6,628,698). The Examiner’s rejections are respectfully traversed.

An essential characteristic of the present invention is the use of a second window in the path search method, as referenced in claims 1 and 7 through the language “at least one second window.” The second window is formed in an area of the path search range not occupied by the first window. Delay profile data calculations derived from the second

window are used in conjunction with those calculations derived from the first window to obtain the reception timing information at which the respective finger circuits receive the baseband signals. Only through use of both the first and second windows is the present invention able to reduce the number of correlators used for path searching, so that the overall power consumption is reduced without decreasing the accuracy of tracking the reception timing (page 7, line 24 to page 8, line 26 of the written description).

The Oda teaching makes no reference to a second window at all, and then *a fortiori* makes no reference to calculating the delay profile data based on a second window, or second path search range.

The search section 33 in Oda does not form a first window from which delay profile data calculations are derived, as suggested when referring to the “path searcher section 33” in paragraph 5 of the outstanding Office Action. Rather, the search section 33 uses the delay profile data to extract data corresponding to the paths of signals having the highest intensity to an intensity of predetermined ordinal number (col. 9, line 2-5) and outputs that data to the ROM 34 in the descending order of signal intensity (col. 10, line 33).

In Oda, the delay profile acquiring section 32 is the component that outputs the delay profile data (col. 9, line 38 to col. 10, line 6). But this reference does not suggest anything more than the use of a single window, or single path search range, to calculate the delay profile data, as is common with a conventional path search method. No mention is made of a window controller (page 5, lines 17-25 of the written description) that divides the search range for calculating the delay profile data and sets two windows. It is thus submitted that claims 1 and 7 are clearly patentable over the prior art.

Claims 2 and 8 are directly dependent upon independent claims 1 and 7, respectively, and are likewise deemed to be patentable.

### **Conclusions**

The Application is now deemed to be in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R.

Respectfully submitted,

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